

Previous references.

22-14017

11-17-182

16-12-14.5, 7, 8, 11, 15 - P.P.)

Later references.

095-22261-4

552-25-102

P.P. 18-45-90, 100, 104 (5 112), 119 (5 123),
145, 128, 131 (5 138).

Vol. 112-30 (156)

100-31-10, 11
CENTRAL

GENERAL AND REVENUE SECRETARIAT.

Eno. Nis/40-54-1

Serial Nos. 1406, 6(E), 274014

Part B for

SUBJECT.

The Transfer of the land to the North & North-East West of the Palace Orchard, forming part of S. No. 1 of Water works, Village & of the Catchment area of the Sankey's Reservoir to the Palace, Bangalore

40 20 3386-91 8 28.11.152

Direct the transfer of
the land & Catchment-area
mentioned above to the Palace
Bangalore, excepting certain blocks
of land mentioned in the G.O.

To
 the Hugar See, to H.H.
 " Rev. Cant. in Berlin
 " Ez. Cant. B'lore
 " President B. of A. M.
 " See, to G. A. B. D.
 " Rev. See, to G. A. B. D.

J. Della Murgia Revff
8/12/1922

P P File No. 123 of 1921.

Serial
No.

From

1

The Survey Secy to H. H.

D O letter No 835 of 19. 6. 22.

Forwards a copy of the Resolution of the ^{City} Municipal Council, Bangalore together with a tracing showing the position of the Palace properties near the Bangalore Palace and of the neighbouring grounds and requests to be informed whether there is any objection to carrying out the work made ~~there~~ in the letter being given effect to.

2

To The Dy. Commr. Bangalore

No 7626 / P P of 27. 6. 22

Forwards a copy of letter referred to in sl 1 above and requests to favour Govt with his views in the matter

3

To The President

City Municipal Council, Bangalore.

No 7627 / P P of 27. 6. 22

Requests to forward the entire file of papers connected with the transfer of a certain piece of land in the neighbourhood of Sankey's Reservoir to the Bangalore Palace which was approved

PP File No. 123 of 1921.

19

21751

Serial
No.

To

From

The President,

City Municipal Council, Bangalore

No 213 D 30 5 1922

With reference to Sl 3 subd
forwards the file of papers re-
therein and requests to be
over your.

1) Subd?

Reply from D.C. Bangalore
will be awaited.

L. mm/
4/7

2) yes: call for it and if it
is not received by the
4/7. 7 to get this month

3)

Off-reminder subd with refer to the order
in para 2 above.

with mm/
7/7

done
DS
8/7

4) Issued to

Result as personally directed
by the Chief Secy.

5) From the Huzur Secy's
letters of 1st Sept 1917 and 1st
Sept 1921 to the President of
Municipal Council, Bangalore
and the latter Officer's letter
of 6th Sept 1917 to the former
it is seen that the land in

Z

D

N

P.P. File No. 123 of 1921.

19

4657

3

Serial
No.

W

X

question belongs to the Municipality.
5) But from the President's
letter of 2-9-15 to the Rev Secy
it is seen that the whole of
S. No 1 of Water Works village
is not included in the Municipality
limits. The Dy Commr who
was consulted recently in
connection with the grant
of permission to the Ind
authorities to use certain
portions of the land belonging
to that village makes no
mention of the land being
included in the Municipal
limits.

6) It is ~~necessary~~ ^{thus} difficult
to say whether the land in
question belongs to the Municipality
or not & the opinion of
the D.C. which has been called
for is necessary to decide
the case.

Y. M.
C. 14/7

Serial
No.

5

From

The 104 Comn, Bangalore
No H.E. 966 as of 13/7/22
stating that there is no objection
to transfer the control over the
portions marked N.G. H.E. in
the sketch as also the area to
the west of the line H.D. H.E.
to the Palace.

7) Subd for orders.

2/1

18/7 8) From the notification dated
12th May 1914 defining the boundary limits
the map showing the ~~area~~ extended limits, it
is clear that the 3 blocks referred to by the
Huzur Secretary are situated within the City
municipal limits forming part of Survey No
of the Water-works village. The block A.P. N.E.
wherein the Rifle Bunk is located, has been
disposed of by Govt previous to the issue of the ab
notification. On a representation from the
municipal Council that the ^{power} ~~right~~ of selling
grazing right & amara ^{in Survey No 1} ~~should be~~ ^{should be} ~~vested in the Council~~ ^{vested in the Council} include, the blocks
referred to, should be vested in the Council
as the land is situated within the
municipal limits, orders were passed
on 23-5-7, vesting the right of the sale of
the above in the Municipal Council but

Serial
No.

the question whether the right over the land had been transferred to the Council, was ~~not~~ left undecided.

7) Section 50(2)(e) lays down that all land transferred to Govt shall be vested in the Municipal Council. It is clear therefore that the mere fact that land is included within the municipal limits, does not confer ~~any~~ on the Council any proprietary right over the same till it is formally transferred to Govt. Whether such a right over the ~~the~~ land in question was ever transferred, is not borne out by the records. Govt have not committed the Council when the block referred to as N 24 G. was temporarily placed at the disposal of the military during the recent war, probably for the reason that the land, not having been transferred to the Council, remained what Govt property, though included within the municipal limits. Nor have the Council raised any objection ~~for~~ against such disposal without their approval. The right of sale & paying ~~of~~ ~~the~~ amaraizi was till recently exercised by the P. W. D. & transferred to the Council at their request. Such a course would not have been adopted, if the right over the land had been vested in the Council.

4731
16
19Serial
No.

10) It is therefore clear that the right over the land vests in Govt & the Councillors were not in order in transferring the same to the Palace without the express sanction of Govt. The attention of the President may however be drawn to this.

11) From the resolution of the Council it is found that they are not agreeable to the transfer of the land to the west of the line A to H. It is precisely this piece of land the transfer of which is urgently required in the interests of ~~the~~ ^{the} sanitation & the general appearance of the locality. As the ~~land~~ ^{land} proprietary right over the land is vested in Govt, as explained in the note, the decision of the question rests with Govt. ~~The~~ ^{The} ~~foral opinion of the Council~~ ^{the views of} the Council as to why this land is not proposed to be transferred may be ascertained before final orders are passed. The Council may also be instructed not to permit the quarrying of metal & the formation of brick kilns within the area.

Chief Secy {

sup
20/7

12) All vacant land in a Municipality is not the property of the Municipal Council.

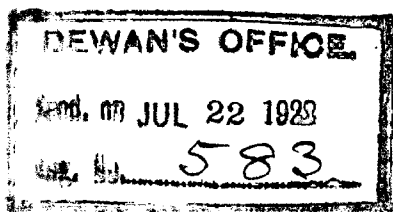
Serial
No.

When an area is constituted into a Municipality, ~~for~~ ^{the} vacant lands included in the area do not become Municipal property unless it is vested in the Council by Act.

13) In this view, unless the Municipal Council can show that the ~~land~~ ^{area} referred to has been vested in them by an Act of Act, they must be held to be at the disposal of the Act, and the land may be transferred to the Palace.

14) The Municipal Council's resolution to grant a piece of land to the Palace is clearly illegal, as they have no power to give away even the land vested in them except with the sanction of the Act.

15) P.S. In place of reference is made of the Decree No. 2. to the land is the Council having been made over to the Municipality under a certain Act. But this Act of Parliament is not.

Serial
No.

16/
 revising the limits of the Bangalore
City Municipality

Secy

16) Spite Co. The rule is maybe
referred to cancel the deal.
under the circumstances in the
first instance - then
the Govt may transfer the
land / the balance is
referred

17) Municipality

18) Draft - Sub?

19) counter?

20) Memorandum draft -

uses, please review?

21) Revised draft Sub

Chips

22) 5/8

CB
Please type as
revised & return to me

Typed draft - Sub?
2/5/28

P.P. File No. 123 of 1921

Serial
No.

6

To
The President, City Municipal Council
Bangalore
No 666/P.P. dt 9.8.22

Points out that the Resolves of the Municipal Council to transfer a portion of the land referred to in S.O. 14 above to the Palace and refusing to transfer the other are alike beyond the powers of the Municipal Council and requests to place the matter before the Municipal Council and get the resolution rescinded & to communicate the same to Govt. who will themselves pass orders on the subject of the request of the Palace authorities.

From

6(a)

The Huzur Secy to H.H.

No 117 dt 19/8/22

Requesting to intimate what action has been taken regarding the removal of the brick kilns in the Bankey's Reservoir.

7

To

The Huzur Secy to H.H.

No 884 dt 24/8/21

Forwarding a copy of S.O. 14

Serial
No.

and the Municipal President
is being addressed in the
matter of getting the brick
kilns removed and withdraw
permissions to quarry stone
in the locality.

23. ReSubd with a draft to the
President.

2. mmv

24. 22/8 Chief Secy

25. 20/8/22

8 To The President,
City Muncpl Council, Bangalore
No. 900/P.P. of 23. 8. 1922

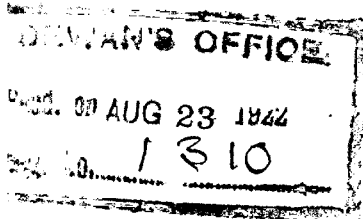
In continuation of the letter
referred to in Sl 6 supra, requests to arrange
to remove the brick-kilns early and to
withdraw the licenses granted for the
brick kilns and for quarrying stone
in the locality.

To The Dy. Commr, Bangalore.

No. 901/P.P. of 23. 8. 1922

Forwards for information and for necessary
action in copy of the above letter, in
case the licenses for brick-kilns and
quarrying stone were granted by
the Dy. Commr.

File No. 123 of 1921 807

Serial
No.

Remind on 11/9/22

Bm
6/9

26/28/22 after issues for personal

2. Wm
23/81.

Bewant

27/1-9

Bm
6/9Bm
2/10/22

6/9

9

From The President, Municipal Council,
Bangalore City.

No. G. 35 of 6-9-1922.

With reference to Sl 8 supra, states that no licenses for either brick-kilns or for quarrying stone have been granted for the current year 1922-23 and that the owners of the existing brick-kilns there have been served with notices to clear the grounds within a fortnight from the date of receipt of the notices and the Municipality will not issue licenses for brick-kilns etc in that locality.

28/8/22 with a draft to the Hon

Secy -

2. Wm
9/929/10/22
Bm
8/9

P P File No. 123 of 1922. 1017

Serial
No.

60

To

The Mysore Secy to H. H.
No 1160/P.P. dt 9.9.1922.In continuation of the letter
referred to in Sl 7 supra, forwards for
inform a copy of letter referred to in Sl 9
from the President, City Municipal Council
Bangalore, in the matter.

11

From The Dy Commr, Bangalore.

No D₂ Dis 433/22 dt 29.9.1922.With reference to Sl 8 supra, states that
it is reported by the Sub Div Officer,
Bangalore, that licenses for the brick
kilns have not been granted by the
Rev Dept and that the licenses have
been granted by the Municipal Council.
No Sub? for perusal.No action is called for on
this as the Municipal Council
have already taken action
in the matter.

Y. Mm

31/10 Chas Secy

31/

Dm

2/13

32/ 1/ 9/22

H. S. S.

116
1018Serial
No.

12

From

The President, Municipal Council,

N^o 51 D. 6-10-1922 Doan galore.

With reference to S. 6 supra submits
the representation ^{of the Municipal Council} for the consideration
of Govt. with regard to the transfer of
certain lands in the neighbourhood of the
Sankey's reservoir to the Palace.

33) Subd? with ref?

2/11/22
10/10

34) If the contention that the lands in question
"appertain" to the Sankey's Reservoir is correct,
there is some basis in their other contention
that the lands vest in them. But there is
also the further question that the Sankey's
Reservoir itself is not a public tank now
but is reserved exclusively for the Palace
Garden & the Sautal oil factory.

35) In any case, it appears
unnecessary to pursue this aspect of the
question. The lands may be resumed by
Govt. under Sec. 54 (3) of the Municipal Regn
& ~~assigned to the~~ placed at
the disposal of the Palace.

f. C. G. J. W.

Chief Secy

10/10
13/10

General and Revenue
Secretariat.

File No.

of 191 .

Serial
No.

30) It is quite true that all public lands and land adjacent thereto situated within Muni limits would come under the control of the Muni Council if they are within Muni limits, but Sankar's Reservation is believed to be a public land — the public having no rights over it — & in any case, all the lands within the catchment of the tank cannot be claimed as "land adjacent" ^{"appertaining to"} a public land — the contention of the Muni C^c cannot therefore be upheld.

37) It may be that in previous correspondence with the P.W. Dept. & from the Palace it was assumed that the land was under Muni control, but such an error does not add confer any right on the Municipality. The land asked for by the Palace may not be transferred to the Palace.

Seway)

38) Please Council G.A.

14/10

39) Recommended and officiated to the
Govt Advocate with Compliments
in favour of opinion for order that
the land should be transferred to the Palace.

G. R. S. 12]

General and Revenue
Secretariat.

File No.

of 191 .

Serial
No.

T
U.O. 1045/92-23
9.10.92

C.B.
27 OCT 1922

40) The instances quoted by the President of the M^l Council do not give us any help in answering the question under consideration. The case referred to in para 4(a) of his letter is rather one in which the President has tacitly recognized the right of the Government to the lands and trees referred to therein. The case in para 4(b) was probably not objected to as it was after all a small matter relating to a piece of waste land.

41) Even supposing that Gorkh did not, on those occasions, care to assert their right - this mere circumstance cannot affect the real legal position one way or the other.

42) The question therefore depends entirely upon whether Sanku tank is a public tank and whether the block of land under reference is really adjacent to and appertaining to that tank as required by S. 50 (2) (b) of the Municipal Regulation.

Serial
No.

1116

No. ^{Pw.} 528 W 15.11.1922
B

27 1922

46) Returned, with compliments-

47) The storage in the Sankey's Reservoir is being utilised by the Palace and the Sandal Oil Factory. As the supplies were not found adequate in the ~~dry~~ dry season, the feeders to the tanks that were out of order have all been recently repaired at the cost of Government. Under the above conditions, the tank will be deemed as reserved for the Palace and Sandal Oil Factory, the storage not being utilised for any other purpose-

348) The area A.B.C.H.J.K.L.M.A. is a part of the catchment of the tank draining into one of the feeders and in that sense should be taken as appertaining to the tank.

Madam Bi.
Secretary to Government,

P.W. Department.

Bangalore,

14th November 1922.

49) In order with ref: to paras 34, 35, 36, 42, 43 & 44.
Checked by 17/11
5) might corroborate opinion based on the assumption that the Tank is a public one: but the P.W.

SECRETARY'S OFFICE
14 NOV 18 1922
2908

27) Please see w/s. re-
472.10 for ^{appearing} the ^{land}
after ^{the} ^{land} ^{was} ^{the} ^{land}
20.11

1116

Serial
No.

53 Subd with 2 drafts.

L. Wm
24/11

Chippiey

Am
23/11~~Alwan~~Approved
to 25/11/2254 The Divan's minute of
20.11.22 is for consumption &
handing over. The drafts
may be approved.Second
memberto Wm
24/11

to 25/11/22

to 27/11/22

56/ to M. M. M.
27/1113. To The Compiler, Mysore Gazette.
No 3380/P.P. D. 28.11.1922.Notifies the resumption of the
whole of the plot of ground to the North
and North-West of the Palace Orchard
(except the Rifle Range which is in the
occupation of the British Military Authorities)
forming part of S. N. 1 of 1921.

PP File No. 123 of 1921.

Serial
No.

Worths village, Bangalore Taluk and
of the catchment area of Sankey's
Reservoir, which at present vests in the
Bangalore City Municipal Council.

To The Presd^t, City Ml Council, Bangalore
 " Dy. Comd. Bangalore.
 " Rev. Comd in Mysore
 " Secy. P. W. Dept.
 " Rev. Secy to Govt.

No. 3381-5/P.P d 28. 11. 1922.

Forwards Copy of the ...

144 To The Hon'ble Secy to H. H.
 " Rev. Comd in Mysore
 " Dy. Comd. Bangalore.
 " Presd^t, City Ml Council, Bangalore
 " Secy. P. W. Dept.
 " Rev. Secy to Govt.

No. 3386-91/P.P d 28. 11. 1922

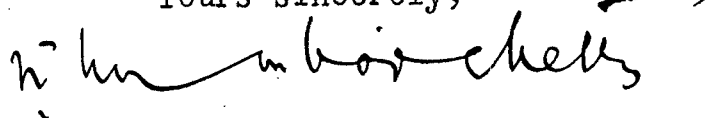
Directs the transfer with the
exception of certain blocks of land,
the whole of the land to the North and
North-West of the Palace Orchard, form-
ing part of S. No 1 of Water Worths
Village and of the catchment area
of the Sankey's Reservoir, to the Palace,
Bangalore.

Reservoir, and West of the line A.D.H.J., in the sketch, seems however, to be the ^{property} of the Municipality. The area is badly cut up owing to the formation of numerous brick-kilns, and presents an untidy appearance. Besides, the North feeder channel running close to the brick-kilns has been bunded up in various places for carts to pass. These are serious obstructions to the flow of water into the Reservoir, and have to be removed at once.

The whole block is contiguous to the Palace Orchard, & the Reservoir depends upon this area for its water-supply. It has become a matter of necessity that the place should be looked after better, and the best way of ensuring this appears to be to transfer the entire plot to the management of the Palace, with the exception of the Eastern portion, which has recently been placed temporarily at the disposal of the British Military Authorities. The brick-kilns may be arranged to be removed and the licenses granted for quarrying stone may also be withdrawn, the brick-kilns being shifted to a suitable site outside the Municipal limits, as seems to be the case in all big towns.

Would you kindly let me know if the Dewan sees any objection to these suggestions being given effect to?

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'K. Matthan', with a long, sweeping horizontal stroke extending to the right.

K. Matthan, Esq., B.A.,

Chief Secretary to the Government of Mysore,

Bangalore.

SUBJECT

Diary No. of letter replied to—

General and Revenue Secretariat

, the

191

Date of issue

27/6/22

Signed by

C. K. Mathan

Section

P.P.

File No.

123-21

Serial No

2

No.

7626 / P.P.

Encl 1

27/6/22

To

The Dy Comm

Bangalore

Dear Sir,

I am desirous
to enclose herewith
a copy of D.O. No 835
of the 19th inst from the
Offg. Huzur Secy to H.H.
the Maharaja, regarding
the transfer of a certain
piece of land in the
neighbourhood of Sankey's

over.

Reservoir to the Bangalore
Palace, with the ~~the~~ sketch
referred to therein (to be kindly
returned) and to request
you to kindly favour Govt
with your views in the
matter.

Yours sincerely
/

For Chief Secy
/

List of enclosures.

Copied by

Examined by

G. R. S. VI—G/32]

SUBJECT.....

Diary No. of letter replied to—

General and Revenue Secretariat

, the

191

Date of issue

Signed by

W. H. Mathan

Section

File No. 123-21

Serial No 3

No.

7627 / PP
27/6/22

To

The President of -
Ent Council

Bangalore

Dear Sir,

I am desirous to request you to kindly forward for perusal of Govt and return the entire file of papers connected with the transfer of a certain piece of

over.

land in the neighbourhood
of Stanley's Reservoir to
the Bangalore Palace
which was approved by the
Municipal Council in their
resolution No 16 of the
meeting held on 4th
March 1922.

Yours sincerely
b
J. H. H. H. H.
J. H. H. H. H.

List of enclosures.

Copied by

Examined by

D. O. 16213

Sample 30/6/22

CITY MUNICIPAL OFFICE,
BANGALORE.

Dated, 30 June 1922

Dear Sir,

+
Eay 1
3/7/22
As desired in your D.O. letter No. 7627/P.P.
123-21-3 dated the 27th instant, I beg to forward
herewith the file of papers relating to the transfer
of a certain piece of land in the neighbourhood of
Sankey's Reservoir to the Bangalore Palace and to
request that the same may be kindly returned when
done with.

Yours sincerely,

Amundw...

To

K. Matthan, Esq., B.A.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

01384

Office of the Deputy Commissioner,

Bangalore District,

Dated Bangalore, 13th July 1922.

No. He 966 (a) of 21-22
1st plan

From

B. Ramaswamaiya, Esq., B.A., B.L.,

Deputy Commissioner,

Bangalore District.

P.P. 123-21-5.

CB-161

CB CM
15 JUL 1922
To

K. Matthan, Esq., B.A.,

Chief Secretary to the Government of

His Highness the Maharaja of Mysore,

Bangalore.

Sir,

With reference to your D.O. No. 7626/P.P. 123-21-²~~2~~ dated 27th June 1922 re the transfer of a certain piece of land in the neighbourhood of Sankey's reservoir to the Bangalore palace, I have the honor to state that the Bangalore Sub-Division Officer in company with the City Health officer, the City Municipal Engineer, the Taluk Amildar and the District Surveyor, inspected the land in question on the 8th instant and copy of his letter No. 18 dated 8th instant giving the full particulars is enclosed for reference.

2. The Revenue Survey number of the land in question is 1 of the Water-Works village, and it is not known how the control over the portion marked N.G.H.E. in the sketch became vested in the Municipal Council. As far as the Revenue Department is concerned, there seems to be no objection to the transfer of the control over this portion as well as over the area to the west of the line A.D.H.J.; to the Palace.

3. The views of the Municipal President in the matter, which were called for, have not as yet been received and he has been reminded in the matter.

4. The sketch referred to in your letter is herewith retransmitted.

I have the honor to be,

Sir,

Your most obedient servant,

W. S. Srinivasan

For Deputy Commissioner,

RA

From

To

Dated

Despatched

Received

General No. _____
No. _____

Enclosure No.

Letter No.18 of 22-23 dated Bangalore, 8th July 1922,
from the Assistant Commissioner in charge, Bangalore District,
to the Deputy Commissioner, Bangalore District.

I have the honor to acknowledge receipt of your No.H.C.966
(a) of 21-22 dated 5th instant, forwarding copies of Chief Secretary's No.7626/P.D.123-21-2 dated the 27th ultimo, to your office and its enclosures and to state that I inspected this morning the lands in question specified in the sketch received with the above and returned herewith, in company with the Taluk Amildar, District Surveyor, the City Municipal Engineer and the City Health Officer I beg to report the following in regard to the points on which information is called for in your letter.

(a) The survey number of the land in question is No.1 of Water works village.

(b) The main North Feeder channel to Sankey's Reservoir flows due south crossing the Tumkur Road and joins the water spread of the Reservoir at its north-western corner. This channel rounds off the Hebbal Rifle Range and forms the northern and western boundary of the northern boundary of S.No.1 of Water works village, until it crosses the Tumkur Road. This particular channel has not been ~~bunded~~ ^{bunded} up nor two other minor channels which rise to the south of the Tumkur Road and flow into the Reservoir. The water flowing in undefined small courses, however, from the catchment area to the north-east of the Reservoir where there is elevated ground, is being obstructed by ^{the} putting up of earthen bunds about one foot high in five or six places, to prevent corrosion and damaging of a cart track formed by cartmen to carry bricks from brick kilns, which have been licensed by the City Municipal authorities and which have been put up close to the water's edge in the Reservoir to the east of it.

(c) There are 14 brick kilns there, from two of which bricks have been completely removed and from the other twelve, bricks are

666 / P. 7. 123-21-6.

Sub 1 file

To

The President,
City Municipal Council,
Bangalore.

Sir,

I am directed to return herewith the file of papers relating to the transfer of certain blocks of land in the neighbourhood of the Sankey's Reservoir to the Palace forwarded with your letter No. 213 dated 30th June 1922 and to observe that the ownership of Government unoccupied lands within municipal limits which are not already appropriated for any of the purposes mentioned in clauses 2(a), (b) (c) and (f) of Sec. 50 of the Municipal Regulation does not vest in the Municipal Council until it is transferred to them by the Government in accordance with clause 2 (e) of the same section. In the present case, no such order vesting these lands in the Bangalore City ^{Municipal} Council ^{appears to have} ~~has~~ issued and mere extension of the municipal limits so as to bring the lands within those limits does not effect a transfer of ownership, but only confers on the Municipal Council the power to exercise control under the Regulation for purposes of sanitation, etc

I am therefore to point out that the Resolutions of the Municipal Council to transfer a portion of these lands to the Palace and refusing to transfer the other are alike beyond the powers of the Municipal

Municipal Council.

In these circumstances I am to request you to place the matter before the Council and get the resolution rescinded and communicate the same early to Govt. who will themselves pass orders on the subject of the request of the Palace authorities.

I have, etc.,

A handwritten signature in dark ink, appearing to be 'K. S. Chatterjee' or similar, written in a cursive style.

Chief Secretary to Govt.



D.O. No 117.

CP 621.
THE PALACE,
BANGALORE.

19th August 1922.

PP. 123-21-6(a)

Dear Mr. Matthan,

In inviting reference to my D.O. letter No. 835 dated 17th/19th June 1922, I am to request you to kindly let me know early what action has been taken regarding the removal of the brick kilns in the Sankey's Reservoir.

Yours sincerely,

[Handwritten signature]

CFB
[Handwritten signature]
21/8/22

Draft - Encl

K. Matthan, Esq., B.A.,

Chief Secretary to the Government,

Bangalore.

*See its issue, further
draft to that with
be put out
Chersee*

[Handwritten signature]
21/8

[Handwritten signature]
22/8/22

SUBJECT...

Diary No. of letter replied to

Section P.P.

File No. 123-21

Serial No. 7

General and Revenue Secretariat

()
the

191

No. 834 / P.P.

22/1/22

Date of issue

22/1

To

The Mayor Secy to H.H.

Signed by

22/1/22

Dear Sir,

With reference to your D.O. letter No 117 of the 19th inst addressed to Mr K. Mathew, I am desired to say that as ^{the President of the Bangalore City} per demands orders, the Municipal Council has been requested to place the matter before the Council and get their Resolution No 16 of the meeting held on the 14th March 1922

over.

about the transfer of
land in the neighbourhood
of Sankar's Reservoir to
the Palace reserved and
to communicate the same

early to (1) ~~the President~~ and his reply
in the matter is awaited.

As soon as it is decided, necessary
action ^{will} be taken ~~to transfer the~~
land to the Palace.

~~the matter is being~~
addressed in the matter of getting
the brickbat removed and
of obtaining permission to quarry
stone at the locality.

Yours faithfully
A. 21/8/22

List of enclosures.

Copied by

Examined by

SUBJECT.....

Diary No. of letter replied to.....

Section P.P.
File No. 723-21
Serial No. 8.

General and Revenue Secretariat
()
, the 191 .

Date of issue

23/8

Signed by

W. A. D.

No.

900
23/8/1911

To

The President of
Municipal Council
Bangalore
~~Bangalore~~

Sir,

In continuation
of this Office letter No
666 of the 9th instth regarding
the transfer of certain
blocks of land in the
neighbourhood of the Sankey
Reservoir to the Palace
I am directed to state
over.

that the area is understood
to have been badly cut up
owing to the formation of
numerous brick-kilns and
to be presenting an untidy
appearance. Besides, the north
feeder channel running close
to the brick-kilns ~~has~~ is reported
to have been bounded up
in various places for carts
to pass thus the flow of
water into the Reservoir has
been obstructed. As the Municipality
had no power to grant licenses
for brick-kilns and quarrying stones
in this area which belongs to Govt. List of enclosures.
and as the area in question
should be carefully looked after
in the interest of water supply

to the Reservoir I am to request
~~you to~~ that brick-kilns ^{Copied by,} may ^{Examined by} ~~be~~
be arranged to be removed as early
as possible, and the licenses granted for the brick
and for quarrying stones ^{in the locality} will be ~~renewed~~ renewed without delay.

I have etc.

2. For Chief-Secy

G. R. S. G/33]

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

401 1073

Copy of the above is
forwarded with compliments
to the Dy Commr, Bangalore
disⁿ, for information ~~and~~
~~favour of~~ ~~the~~ with ref:
to his letter No H.C. 966(a)
of the 13th July 1922 and
favour of necessary
action in cases the
licenses for brick-kilns
and quarrying stone
have been granted by
the Rev Dept.

780
10/8/22
For Chief Secy
G.

16375

No. 6.7.35.

OFFICE OF THE CITY MUNICIPAL COUNCIL,

Bangalore City, dated 6th September 1922.

P.P. 123-21-9.
CB. 827

From

ANANDA RAO SIRSI, ESQ., B.A., LL. B.,
President, Municipal Council,
BANGALORE CITY.

K. Matthan, Esq., B.A.,

Chief Secretary to the Government of

His Highness the Maharaja of Mysore,

B a n g a l o r e.

Sir,

With reference to your letter No. 900/B.P. 123-21-8 dated the 23rd August 1922 stating that the lands in the neighbourhood of the Sankey's Reservoir have been badly cut up owing to the formation of numerous brick-kilns and requesting that the licenses granted for the brick-kilns and for quarrying stone in the locality may be withdrawn, I have the honor to state that no licenses for either brick-kilns or for quarrying stone have been granted for the current year 1922-23. The owners of the existing brick-kilns there have been served with notices to clear the grounds within a fortnight from the date of receipt of the notice and prompt measures will be adopted to have the brick-kilns removed at an early date.

The Municipality will not issue licenses for brick-kiln or for quarrying stones in this locality hereafter.

I have the honor to be,

Sir,

Your most obedient servant

Ananda Rao Sirsi

President.

D.N.R.

SUBJECT.....
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Diary No. of letter replied to.....

Section P.P.
File No. 123-21.
Serial No 60.

General and Revenue Secretariat
()
, the 191 . }

No. 1160 / P.P.
8 9/9/22

Date of issue 9/9

To The Hon'ble Secy
to H.H.

Signed by [Signature]

Dear ~~Mr. [Signature]~~ ~~Mr. [Signature]~~
In continuation
of this Office D.O. letter
no 8344 / P.P. 123-21-7 dt
the 22nd August 1922,
regarding the removal of
the brick kilns in the
Sankay's Reservoir, I am
desirous to forward
herewith for information
over.

a copy of letter No. 35
of the 6th Sept. 1922 from
the President - City and Council,
Bamako, in the matter

of the

of the

of the

List of enclosures.

Copied by

Examined by

18811

PP. 123-21-11

CE 78

Office of the Deputy Commissioner,
Bangalore District,

Dated Bangalore, 26th September '22.

29

No.... 2015 433/1223

From

NEW REV. SECTY
C.B. CA
BCT 1222
B. Ramaswamaiya, Esq., B.A., B.L.,
Deputy Commissioner,
Bangalore District.

To

K. Matthan, Esq., B.A.,

Chief Secretary to the Government of His Highness
the Maharaja of Mysore, Bangalore.

Sir,

123-21-

With reference to your letter No.901/P.P. dated 23rd August 1922 re the removal of the brick-kilns in connection with the transfer of certain blocks of land in the neighbourhood of Sankey's reservoir to the Palace, I have the honor to state that it is reported by the Sub-Division Officer, Bangalore, that licenses for the brick kilns have not been granted by the Revenue Department. It is reported that the licenses have been granted by the Municipal Council.

I have the honor to be,

Sir,

Your most obedient servant,

W. S. S. S.
Deputy Commissioner,
Bangalore District.

(Absent from office)

19572

OFFICE OF THE CITY MUNICIPAL COUNCIL,

No. 51116

Bangalore City, dated 5th October 1922

P.P. 123-2-12

CP-1116

From

ANANDA RAO SIRSI, ESQ., B.A., LL. B.,
President, Municipal Council,
BANGALORE CITY.

To

The Chief Secretary to the Government of His Highness
the Maharaja of Mysore,
Bangalore.

Sir,

With reference to your letter No. 666/P.P.123-21 dated 9th August 1922, requesting me to place before the Municipal Council the transfer of certain blocks of lands in the neighbourhood of the Sankey's reservoir to the Palace and get the resolution of Municipality rescinded, I have the honor to submit the following representation for the kind consideration of Government:--

2. When the Government in their order No. 11372 Ml.160-12-12 dated 12th May 1914, altered the limits of the City Municipality, by the very act of alteration of the Municipal limits, all the incidents and rights, belonging to the Municipality over lands situated within such limits, and not expressly reserved for Government, accrued to the Council. Section 50 of the Municipal Regulation (2) expressly states as follows:--

"All property of the nature hereinafter in this section specified, and not being specially reserved by the Government, shall be vested in and belong to the Municipal Council and shall, together with all other property, of what nature or kind soever, not being specially reserved by the Government, which may become vested in the Municipal Council, be under their direction, management and control, and shall be held and applied by them as trustees, subject to the provisions and for the purposes of this Regulation; that is to say--

(b) All public streams, tanks, reservoirs, cisterns, wells, springs, aqueducts, conduits, tunnels, pipes, pumps and other water-works, and all bridges, buildings, engines, works, materials and things connected therewith or appertaining thereto, and also any adjacent land (not being private property) appertaining to any public tank or well."

Therefore when ^{the} water works village, consisting of Sankey's tank and lands adjacent thereto belonging to Government, was placed within Municipal limits and when no portion of it had been specifically reserved for Government, the management, direction and control of such land vested in the Council and the transfer by assignment, grant or sale of such land, naturally vested in the Municipality.

3. The Council do not dispute the right of Government to divest the Municipality of the control of lands within Municipal jurisdiction at any time the Government feel it necessary. But so long as such reservation or divestment is not notified, the Council are within their own jurisdiction in exercising over the land all powers of management and control vested in them according to the Regulation. The Council are of opinion that the mere act on the part of Government of placing certain lands within Municipal limits gives the Council the necessary legal authority to take care of it and to dispose it of from time to time in such a manner as they may think fit, with due regard to public interests, without going up to Government in regard to every piece of land situated within their own limits as expressly notified by Government and as are not specially reserved by Government.

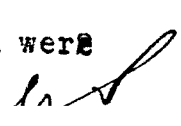
4. That the above interpretation of the Council is not far fetched is shewn by the following incidents and correspondence in the matter from time to time.

(a) In ~~Sept~~ September 1915 Dewan Bahadur K.P. Puttanna Chetty, the then Honorary President, in his letter No. 51, applied to the Government for orders being issued for the annual sale of

the produce of fruit trees and soap-nut by the Municipality, instead of by the Public Works Department and for the revenue being credited to Municipal Revenue under Section 50 (2) e of the Regulation. The Government in their order No. 7351-- Mul.115-15-2 dated 21st May 1917, upheld the contention and directed that the grazing and amarayi in the said area be made over to the Municipality and in their order No. 1396-9 Mul.75-17-4 dated 3rd September 1917, sanctioned also the sale by the Municipality of the thorny trees in the area referred to and the sale proceeds being credited to Municipal funds.

(b) On 1st September 1917, Mr. T. Thimboo Chetty, Assistant Secretary to His Highness the Maharaja in his D.O. letter No. 399, requested the then President of the Municipality to transfer a piece of waste land situated in the catchment area of the Sankey's tank included in the notification of May 1914 to the Palace. The President of the Municipality corresponded direct with the Assistant Secretary to His Highness and the Superintendent of Survey in the matter and issued the necessary orders and reported the matter for the information of Government after the transfer was effected. The Government simply recorded the letter in their order No. 2732 Mul.11-17-2 dated 17th November 1917. It is significant that the Government did not then raise the question of the right of the Municipality to dispose of the land without the previous sanction of Government. The Assistant Private Secretary to ~~His~~ His Highness also applied to the Municipality and not to Government for the transfer of the land.

(c) On the 31st August 1921 Mr. Thimboo Chetty, Assistant Secretary to His Highness, wrote to the then Honorary President of the Municipality enquiring whether he had any objection to transfer certain lands "under the control of the City Municipality" to the Palace for the purpose of being looked after properly, as it was absolutely necessary to have the catchment area kept in proper condition." The subject was considered by the Council and Mr. Thimboo Chetty was informed in March 1922 that the Council were



agreeable to the grant of the lands lying to the north of the Palace orchard, the portion to the west being reserved for Municipal purposes.

8. Under the circumstances stated above, the Council while agreeable to the Government resuming back by notification any portion of the lands now lying within Municipal limits and disposing it of in any manner the Government may think fit, are unable to accept the view that the notification of May 1914 altering the Municipal limits does not vest in the Council full powers of management and control including the right of transfer or sale.

8. The Council discussed the subject at a special meeting held on the 23rd September 1922 and have passed the following resolution:--

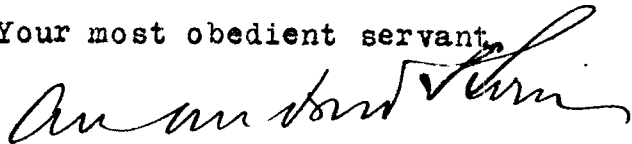
"The Council while not accepting the view of the Government that their Resolution of 4th March 1922 is beyond their power are agreeable to the Government resuming any of the Government lands now included within Municipal limits, till now not specially reserved by Government and disposing of the same as the Government may deem proper. The Council will also be glad to comply with the orders of Government in the present instance if they will indicate the lines on which they desire the Council to dispose of the present demand of the Palace authorities."

7. I am to request that the Government may be pleased to accept the above view of the Council and to pass such orders as ~~in~~ they may deem necessary.

I have the honor to be,

Sir,

Your most obedient servant,



President,
City Municipal Council,
Bangalore.

2035

SUBJECT.....
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Diary No. of letter replied to.....

Section *P.P.*
File No. *123-21*
Serial No. *113*

General and Revenue Secretariat
()
, the 191 .

No. *3388/*

Date of issue *27/11/11*

Signed by *Mr. S. F. Rao*

Is Notification
In exercise of the
powers ~~now~~ vested in
Govt by Section 50 (3)
of the Mysore Municipal
Regulation, VII of 1906,
the whole of the plot of
ground to the north and
north-west of the Palace
Orchard (except the Rifle-
Range which is in the
Occupation of the British
over.

local authorities), forming
part of survey No 1 of
water works village Bangalore
Taluk, and of the catchment
area of Santley's Reservoir,
which ~~is~~ at present ~~managed~~ ^{is} ~~and controlled~~ ^{is} by the Bangalore
City Municipal ^{Council} ~~ity~~ is hereby
referred to.

Ch. C.

15.5.29

Chief Secy

Y.

To the Compiler, Mysore Govt.

- Copies to (1) the President ^{List of enclosures} of Municipal
Council, Bangalore.
(2) the City Commr, Bangalore.
(3) the Rev Commr in Mysore.
(4) the Secy P. W. D.
(5) the Rev Secy to the

Copied by

Examined by

mm

SUBJECT.....
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ary No. of letter replied to.....

General and Revenue Secretariat

()

, the 192

Date of issue.....

Signed by.....

May this be

- i Printed ?
- ii treated as a standing order ?
- iii published in the Gazette.
English Part ?
- v translated ?
- v placed at the disposal of the press ?
- vi published in the Gazette,
Kannada Part ?

Section P.P.

File No. 123-21

Serial No. 14

Proceedings of the Government of
His Highness the Maharaja of Mysore.

Read—

G.O. No. 2732-7/2411-17-2
dt 17th November 1917 regarding
the transfer of a portion
of waste land out of
S. No. 1 of Water works
village to the Palace
in connection with the
extension of the wire
fencing round the Palace.
~~Order Thereon~~ No. 100 and at
Bangalore.

2. Letter No. 835 dt 17th
19th June 1922 from the
Huzur Dar to H.H. the
Maharaja requesting that

the whole of the (plot-1) - ground
to the North and North-West
of the Palace Brick and, forming
part of Survey No 1 of Water Works
Village, Bangalore Taluk, and of
the Catchment Area of Sankey's
Reservoir with the exception
of the following two blocks
may be transferred to
the Palace, Bangalore -

3. Correspondence ending with
letter No. H.C. 966(A) of 21-22 of the
13th July 1922 from the Dy Commr,
Bangalore Dist, on the above
Subject -

4. Correspondence ending
with letter No. 51 of the 6th October
1922 from the President of
Municipal Council, Bangalore, List of enclosures.
on the same Subject -

5. Govt Notification

No. / P.H. 123-21 - 42
resuming the Govt the land
in question which was
being managed and Copied by
controlled by the Bangalore Examined by

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

with the exception of the two blocks of land viz., (i) the portion of the land which is being used as Rifle Range by the ~~Indi~~ British mil authorities and (ii) the portion measuring about 59 acres the occasional use of which by the British mil authorities for training purposes has recently been permitted the whole of the land to the North and North-West of the Palace Orchard; former part of Surrey Dept of Water Works village and of the Catchment area of the Sankey's Reservoir ~~will be~~ transferred to the

Palace, Bangalore.

25/11/92

Chief Secy

2

To The Hon'ble Secy to H.H.

The Pres Commr. Mysore

The Dy Commr. Bangalore

The President City Corp. Bangalore

The Dy Commr. Coimbatore

The Dy Commr.